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PTO/SB/21 (09-04)
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	400	Application Number	10/679,860
		Filing Date	10/06/2003
		First Named Inventor	Don C. McCall
		Art Unit	3622
		Examiner Name	Jean D. Janvier
		Attorney Docket Number	1159-0016D

ENCLOSURES *(Check all that apply)*

- [x] Fee Transmittal Form
- [x] Fee Attached
- [ ] Amendment/Reply
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [x] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
- [ ] Reply to Missing Parts/ Incomplete Application
  - [ ] Reply to Missing Parts under 37 CFR 1.52 or 1.53
- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation Change of Correspondence Address
- [ ] Terminal Disclaimer
- [ ] Request for Refund
- [ ] CD, Number of CD(s) _____
  - [ ] Landscape Table on CD
- [ ] After Allowance Communication to TC
- [ ] Appeal Communication to Board of Appeals and Interferences
- [ ] Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- [ ] Proprietary Information
- [ ] Status Letter
- [ ] Other Enclosure(s) (please Identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Steven W. Smith		
Signature	Steven W. Smith		
Printed name	Steven W. Smith		
Date	08/12/2005	Reg. No.	36,684

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	Steven W. Smith		
Typed or printed name	Steven W. Smith	Date	08/12/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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PTO/SB/17 (12-04v2)
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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	($)	180.00

Complete if Known	
Application Number	10/679,860
Filing Date	10/06/2003
First Named Inventor	Don C. McCall
Examiner Name	Jean D. Janvier
Art Unit	3622
Attorney Docket No.	1159-0016D

METHOD OF PAYMENT (check all that apply)

☐ Check ☑ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**

☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fees Paid ($)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims		Extra Claims	Fee ($)		Fee Paid ($)
_____	- 20 or HP =	_____	x _____	=	_____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims		Extra Claims	Fee ($)		Fee Paid ($)
_____	- 3 or HP =	_____	x _____	=	_____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims	
Fee ($)	Fee Paid ($)
_____	_____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets		Extra Sheets		Number of each additional 50 or fraction thereof		Fee ($)		Fee Paid ($)
_____	- 100 =	_____	/ 50 =	_____	(round up to a whole number) x	_____	=	_____

4. OTHER FEE(S)

	Fees Paid ($)
Non-English Specification, $130 fee (no small entity discount)	
Other (e.g., late filing surcharge): IDS Fee	180

SUBMITTED BY

Signature	Steven W. Smith	Registration No. (Attorney/Agent) 36,684	Telephone 972-583-1572
Name (Print/Type)	Steven W. Smith		Date 08/12/2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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AUG 15 2005
PATENT & TRADEMARK OFFICE USPTO

PATENT APPLICATION
DOCKET NO. 1159-0016D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Don C. McCall et al. §

Serial No.: 10/679,860 § Group Art Unit: 3622

Filed: October 6, 2003 § Examiner: Jean D. Janvier

For: FUEL DISPENSING SYSTEM AND METHOD PROVIDING DISCOUNTED PRICES TO INDIVIDUALLY IDENTIFIED CUSTOMERS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY FIRST CLASS MAIL:
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on .... August 12, 2005 .... by ..... Steven W. Smith .....

Steven W. Smith
Signature

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR §1.56 and in accordance with 37 CFR §§1.97-1.99, information relating to the above-identified application is hereby disclosed. Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith. Certain of the references may contain markings, underlinings or other notations. These markings are not intended and should not be construed as drawing the Examiner's attention either to selected parts or away from other parts of the references, but such markings were either present on the copies of the references obtained by applicant, or were made thereon during the study of the references by applicant and/or its attorneys.

The fee in accordance with 37 CFR 1.17(p) is enclosed herewith.

08/16/2005 EFLORES 00000136 10679860
01 FC:1806 180.00 OP

Respectfully submitted,

Steven W. Smith
Registration No. 36,684

Date: August 12, 2005

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Dallas, TX 75240
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AUG 15 2005
PATENT & TRADEMARK OFFICE

In place of PTO/SB/08A and 08B/1449 form	U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	*Complete if Known*	
		Application Number	10/679,860
INFORMATION DISCLOSURE STATEMENT BY APPLICANT *(use as many sheets as necessary)*		Filing Date	10/06/2003
		Applicant(s)	Don C. McCall et al.
		Art Unit	3622
		Examiner Name	Jean D. Janvier
SHEET 1 OF 5		Attorney Docket Number	1159-0016D

U. S. PATENT DOCUMENTS				
Examiner's Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	1	US 6,351,735	02/26/2002	Deaton et al.
	2	US 6,112,981	09/05/2000	McCall
	3	US 5,806,045	09/08/1998	Biorge et al.
	4	US 5,612,868	03/18/1997	Off et al.
	5	US 5,521,364	05/28/1996	Kimura et al.
	6	US 5,481,094	01/02/1996	Suda
	7	US 5,200,889	04/06/1993	Mori
	8	US 5,173,851	12/22/1992	Off et al.
	9	US 5,056,019	10/08/1991	Schultz et al.
	10	US 4,910,672	03/20/1990	Off et al.
	11	US 4,825,045	04/25/1989	Humble
	12	US 4,821,186	04/11/1989	Munakata et al.
	13	US 4,723,212	02/02/1988	Mindrum et al.
	14	US 3,852,576	12/03/1974	Rudd
	15	US 4,949,256	08/14/1990	Humble
	16	US 5,008,519	04/16/1991	Cunningham et al.
	17	US 5,368,129	11/29/1994	Von Kohorn
	18	US 5,420,606	05/30/1995	Begum et al.
	19	US 5,483,049	01/09/1996	Schulze et al.
	20	US 5,502,636	03/26/1996	Clarke

FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code – Number – Kind)	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited Document	Translation Y/N
	21	EP 0 511 463 A2	11/04/1992	Greer et al.	
	22	WO 91/18373	11/28/1991	Stanley	
	23	WO 96/06415	02/29/1996	Phillips et al.	
	24	WO 92/14213	08/20/1992	Greer et al.	
	25	JP2217998 Abstract	08/30/1990	Yoshimitsu et al.	Y
	26	WO 99/14715	03/25/1999	Galleri	N

OTHER PRIOR ART		
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published
	27	BARBARA GRONDIN FRANCELLA, "Anybody's Fuel", *Convenience Store News*, page 31, July 7, 1997.
	28	"Grocery-Gas Combo Opened by Nexus Fuel, 2,000 Planned in Five Years", *The Food Institute Report*, v70, n32, August 11, 1997.
	29	JOHN CALLANAN, "New Realities in Gasoline Marketing", *Convenience Store News*, page 50, December 15, 1997
	30	"Midland's Subsidiary, Arcon Energy, Inc. Sets Up a New Division", Business Wire, page 04071444, April 7, 1998.
	31	PHIL WOMACK, "Regulations Changing Fuel Management Options", *Baton Rouge Business Report*, v10, n12, p21(3), January 28, 1992.

Examiner Signature		Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

In place of PTO-1449 Form	U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE			*Complete if Known*	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT *(use as many sheets as necessary)*				Application Number	10/679,860
				Filing Date	10/06/2003
				Applicant(s)	Don C. McCall et al.
				Art Unit	3622
				Examiner Name	Jean D. Janvier
SHEET	2	OF	5	Attorney Docket Number	1159-0016D

U. S. PATENT DOCUMENTS				
Examiner's Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	32	US 5,710,886	01/20/1998	Christensen et al.
	33	US 5,185,695	02/1993	Pruchnicki
	34	US 5,895,457	04/20/1999	Kurowski et al.
	35	US 2001/0020198 A1	09/06/2001	Wilson
	36	US 5,202,826	04/13/1993	McCarthy
	37	US 5,822,735	10/13/1998	De Lapa et al.
	38	US 5,862,222	01/19/1999	Gunnarsson
	39	US 6,098,879	08/08/2000	Terranova
	40	US 6,298,329	10/02/2001	Walker et al.
	41	US 6,152,591	11/2000	McCall et al.
	42	US 5,555,497	09/10/1996	Helbling
	43	US 5,797,470	08/25/1998	Bohnert et al.
	44	US 6,193,154	02/27/2001	Phillips et al.
	45	US 5,340,969	08/23/1994	Cox
	46	US 5,493,315	02/20/1996	Atchley
	47	US 3,931,497	01/06/1976	Gentile et al.
	48	US 3,627,991	12/14/1971	Beall et al.
	49	US 3,660,858	05/09/1972	Smith Jr.
	50	US 3,786,421	01/15/1974	Wostle et al.
	51	US 4,199,100	04/22/1980	Wostle et al.

FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code – Number – Kind)	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited Document	Translation Y/N
	52	GB 2279795 A	01/11/1995	Sedgwick	
	53	EP 0 356 243 A2	02/28/1990	Suekane	
	54	DE 40 13 147 A1	10/31/1991	Schreiber	N
	55	WO 94/09457	04/28/1994	Leatherman et al.	
	56	WO 96/42061	12/27/1996	Chumbley	
	57	EP 0 114 447 A1	08/01/1984	Bohlman et al.	

OTHER PRIOR ART		
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published
	58	"US-Tower Records Launches Cross Promotion", *Billboard (BBD), Ginger Roberts – Search Report*, page 44, February 20, 1993.
	59	"Sony and Coca-Cola in Cross-Promo Link-up", *Gale Group, Ginger Roberts – Search Report*, page 4, 79, March 16, 1991.
	60	ESTELLE JACKSON, "Area Oil Firms Offer Plans for Guaranteed Prices", *Richmond Times-Dispatch*, City Section: Business, Page E-1, July 14, 1991.

Examiner Signature		Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT *(use as many sheets as necessary)*				Application Number	10/679,860
				Filing Date	10/06/2003
				Applicant(s)	Don C. McCall et al.
				Art Unit	3622
				Examiner Name	Jean D. Janvier
SHEET	3	OF	5	Attorney Docket Number	1159-0016D

U. S. PATENT DOCUMENTS				
Examiner's Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	61	US 4,345,146	08/17/1982	Storey et al.
	62	US 4,396,902	08/02/1983	Warthan et al.
	63	US 4,469,149	09/04/1984	Walkey et al.
	64	US 4,881,581	11/21/1989	Hollerback
	65	US 4,914,279	04/03/1990	Massey
	66	US 5,260,552	11/09/1993	Colbert et al.
	67	US 5,327,066	07/05/1994	Smith
	68	US 5,336,871	08/09/1994	Colgate, Jr.
	69	US 5,393,966	02/18/1995	Gatto et al.
	70	US 5,422,744	06/06/1995	Katz et al.
	71	US 5,506,395	04/09/1996	Eppley
	72	US 5,514,858	05/07/1996	Ackley
	73	US 5,531,482	07/02/1996	Blank
	74	US 5,545,883	08/13/1996	Sason et al.
	75	US 5,548,106	08/20/1996	Liang et al.
	76	US 5,602,745	02/11/1997	Atchley et al.
	77	US 5,659,431	08/19/1997	Ackley
	78	US 5,679,945	10/21/1997	Renner et al.
	79	US 5,700,999	12/23/1997	Streicher et al.
	80	US 5,729,002	03/17/1998	Samples

FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code – Number – Kind)	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited Document	Translation Y/N
	81	JP 7-200754 Abstract	1995	Akio et al.	Y
	82	JP 9-251521 Abstract	1997	Takao, et al.	Y

OTHER PRIOR ART		
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published

Examiner Signature		Date Considered	

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				Applicant(s)	Don C. McCall et al.
				Art Unit	3622
				Examiner Name	Jean D. Janvier
SHEET	4	OF	5	Attorney Docket Number	1159-0016D

U. S. PATENT DOCUMENTS				
Examiner's Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	83	US 5,832,457	11/03/1998	O'Brien et al.
	84	US 5,901,303	05/04/1999	Chew
	85	US 5,913,180	06/15/1999	Ryan
	86	US 6,062,473	05/16/2000	Blalock et al.
	87	US 3,536,109	10/27/1970	Ginsburgh
	88	US 5,694,326	12/02/1997	Warn et al.
	89	US 5,790,410	08/04/1998	Warn et al.
	90	US 5,905,246	05/18/1999	Fajkowski
	91	US 5,025,372	06/18/1991	Burton et al.
	92	US 6,089,284	07/18/2000	Kaehler et al.
	93	US 6,263,319	07/17/2001	Leatherman
	94	US 6,073,840	06/13/2000	Marion
	95	US 6,070,156	05/30/2000	Hartsell, Jr.
	96	US 6,039,245	03/21/2000	Symonds et al.
	97	US 5,832,458	11/03/1998	Jones
	98	US 4,792,018	12/20/1988	Humble et al.
	99	US 6,013,107	01/11/2000	Blackshear et al.
	100	US 5,739,760	04/14/1998	Hatakeyama
	101	US 5,500,890	03/19/1996	Rogge et al.
	102	US 6,092,057	07/18/2000	Zimmerman et al.

FOREIGN PATENT DOCUMENTS					
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OTHER PRIOR ART		
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	103	US 4,949,256	08/14/1990	Humble
	104	US 5,202,822	04/13/1993	McLaughlin et al.
	105	US 5,980,090	11/09/1999	Royal, Jr. et al.
	106	US 6,085,333	07/04/2000	DeKoning et al.
	107	US 5,845,095	12/01/1998	Reed et al.

FOREIGN PATENT DOCUMENTS					
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OTHER PRIOR ART		
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Examiner Signature		Date Considered	

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